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*Attorneys for Defendants Richard Ashcraft,  
Charles Daniels, Kody Hollaway, Kyle Olsen,  
Robert Robison, Robert Suwe, and Brian Williams*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

DAINE CRAWLEY,

Plaintiff,

v.

CHARLES DANIELS, *et al.*,

Defendants.

Case No. 3:22-cv-00530-CSD

**ORDER GRANTING  
DEFENDANTS' MOTION FOR  
EXTENSION OF TIME TO  
RESPOND TO PLAINTIFF'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT  
(ECF NO. 41)**

Defendants Richard Ashcraft, Charles Daniels, Kody Hollaway, Kyle Olsen, Robert Robison, Robert Suwe and Brian Williams, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Andrew C. Nelson, Senior Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby respectfully request an extension of time to file a response to Plaintiff, Daine Crawley's (Crawley's) Motion for Partial Summary Judgment Pursuant to Rule 56 (Motion). (ECF No. 41).

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

This is a *pro se* civil rights action brought by Plaintiff, Daine Crawley (Crawley), asserting claims arising under 42 U.S.C. §1983. (See generally ECF No. 8). After the Court's mandatory screening process pursuant to 28 U.S.C. §1915A(a), Crawley proceeded on the following claims. (See generally ECF No. 9 at 6-7:1-3). Specifically, Crawley

proceeded on three (3) separate Fourteenth Amendment due process claims against Defendants Richard Ashcraft (Ashcraft), Charles Daniels (Daniels), Kody Hollaway (Hollaway), Kyle Olsen (Olsen), Robert (Robison), Robert Suwe (Suwe), and Brian Williams (Williams), (collectively “NDOC Defendants”). (See *id.* at 6:10-12; 18-20; 28; 7:1-3).

## II. LEGAL STANDARD

Pursuant to Fed. R. Civ. P. 6(b), the “court may, for good cause, extend the time . . . with or without motion or notice . . . if a request is made, before the original time or its extension expires.”

## III. ARGUMENT

On May 6, 2024, Crawley filed his Motion. (ECF No. 41). Undersigned Counsel recently made an appearance in this matter on May 14, 2024. (ECF No. 42). During this time, Undersigned Counsel has diligently attempted to review Crawley’s Motion, including all attached exhibits and discovery responses to timely respond to Crawley’s Motion . (See *generally* ECF No. 41). However, given the recent appearance, Undersigned Counsel is still reviewing and familiarizing himself with all pleadings and papers necessary to prepare a succinct and adequate response.

The requested extension will enable Undersigned Counsel time to complete his analysis of the Motion, attached exhibits, and any additional pleadings and papers in this case necessary to formulate a response to Plaintiff’s Motion, and to file Defendants’ own dispositive motion at the Court’s deadline. For example, the Ninth Circuit provided a non-exhaustive list of valid good-cause reasons in the context of F.R.C.P. 6(b). *See Ahanchia v. Xenon Pictures, Inc.*, 624 F.3d 1253. The Ninth Circuit noted reasons such as holidays, weekends, prior commitments, previously planned trips, other occupational duties, personal and familial obligations, and the health of legal professionals. *Id.* at 1258-60.

Given that, Undersigned Counsel respectfully requests additional time to respond to Crawley’s Motion.

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1 **IV. CONCLUSION**

2 Based upon the foregoing, Undersigned Counsel respectfully requests an additional  
3 **fourteen (14) day to include up to and until June 12, 2024**, to respond to Crawley's  
4 Motion for Partial Summary Judgment Pursuant to Rule 56. (ECF No. 41).

5 DATED this 28th day of May 2024.

6 AARON D. FORD  
7 Attorney General

8 By: /s/ Andrew C. Nelson  
9 ANDREW C. NELSON, Bar No. 15971  
10 Senior Deputy Attorney General

11 *Attorneys for Defendants*

12 IT IS SO ORDERED.

13 DATED: May 29, 2024.

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15 UNITED STATES MAGISTRATE JUDGE  
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